



SDAIA

الهيئة السعودية للبيانات
والذكاء الاصطناعي
Saudi Data & AI Authority

The Draft Data Sovereignty Public Policy Kingdom of Saudi Arabia



Preamble

In light of the rapid technological advancements and the shift towards data-driven economies, along with the resulting evolution in methods and techniques of collection, storing, processing, dissemination, and harnessing data, there is a growing imperative to determine modern trends in data governance. This includes risks associated with protecting the privacy of Individuals and the possibility of illegitimately accessing or acquiring data without the consent of the competent authorities, potentially leading to severe, irreversible negative impacts on the vital interests of nations. This includes, for example, but is not limited to, the possibility of data being accessed by external entities without legal ground, as well as the inability of relevant government agencies to access this data when necessary and in a timely manner for the enforcement of applicable laws and regulations. This has prompted many nations to develop data sovereignty and data localization legislations, and to advocate for a return to national or regional solutions to address challenges related to leveraging the diverse capabilities of modern technologies available in the global market, thereby ensuring national sovereignty over their data. On the national front, the Kingdom of Saudi Arabia has made significant strides in accelerating its digital transformation journey and adopting communications and information technologies to reach an information society and digital economy. This transformation is a key pillar in achieving the ambitious objectives of the Kingdom's Vision 2030 by developing digital infrastructure that supports innovation, enabling the private sector, creating a conducive business environment, and attracting foreign direct investments, in a way that ensures economic sustainability, global leadership, and national sovereignty over data as a crucial component and fundamental resource for the digital economy.

From this perspective, and recognizing the importance of balancing data development, enablement, and governance to harness data with preserving national sovereignty over data, this policy has been formulated to clarify the main objectives, fundamental principles, and general orientations of the Kingdom with regard to data sovereignty.

Objectives

This policy aims to set the fundamental principles to ensure the preservation of the Kingdom of Saudi Arabia's sovereignty over its data while developing, enabling, and harnessing it. It also aims to inform entities in the public and private sectors, non-profit organizations, and the international community of the Kingdom of Saudi Arabia's general orientations with regard to data sovereignty.

Fundamental Principles for Preserving National Sovereignty Over Data

First Principle: Data as a National Asset

1. The Kingdom emphasizes that data is a national asset that must be enriched, utilized, and governed in order to maximize its benefits in supporting economic growth and elevating the Kingdom to a leadership position among data-driven economies.
2. The Kingdom seeks to ensure the preservation of national sovereignty over data by assuring that data is subject to the laws, regulations, and policies issued by the competent authorities and to the governance models in force in the Kingdom.
3. The Kingdom aims to enhance the principle of transparency by developing and adopting laws, regulations, and policies regulating the right of access to public information - not classified as top secret, secret or restricted that is produced, collected, or dealt with by government entities - or the right to obtaining such information by individuals and entities, and ensuring compliance with such laws, regulations, and policies.
4. The Kingdom aims to enhance the concept and practices of open data to encourage research, development, and innovation and drive economic growth in accordance with the laws, regulations, and policies issued by the competent authorities.

Second Principle: Data Protection

1. The Kingdom stresses the importance of protecting data against breach, damage, loss, misuse, alteration, or unauthorized access, in accordance with what is issued by the competent authorities.
2. The Kingdom emphasizes on the importance of regulating the hosting and storage of non-personal data produced, collected, or handled by government entities and private entities that are classified as Critical National Infrastructure (CNIs) through laws, regulations, and policies issued by competent authorities to protect the Kingdom's vital interests and preserve such data as national assets.
3. The Kingdom highlights the importance of regulating the transfer, storage, and hosting of personal

data collected, processed, and retained by public, private, and non-profit entities within or outside the Kingdom, through laws, regulations, and policies issued by the competent authorities, and ensuring compliance with such laws, regulations, and policies.

4. The Kingdom aspires to adopt the best governance practices regulating the granting of access rights to government employees who process data, using it based on the need-to-know principle, and with the minimum necessary privileges to perform their assigned roles and responsibilities.
5. The Kingdom attaches great importance to preserving the privacy of individuals and protecting their rights related to the collection and processing of their personal data through laws, regulations, and policies issued by the competent authorities, and ensuring compliance with such laws, regulations, and policies.

Third Principle: Data Availability

1. The Kingdom aims to adopt the best governance practices that regulate:
 - Ensuring that the competent authorities in the Kingdom have access to or obtain data when needed, in a timely manner, and to the extent necessary to exercise their powers and perform their functions.
 - Processing requests from foreign entities to obtain data for law enforcement purposes, including implementing international obligations or fulfilling security or judicial requirements, in a manner that does not conflict with the laws and regulations in force in the Kingdom.
2. The Kingdom emphasizes the importance of developing regulatory frameworks and plans that ensure the business continuity of public entities' and the recovery of data related to their activities and functions in the event of disasters and crises, through contracting methods, or contracts, agreements, and memoranda of understanding to which these entities are parties.

Fourth Principle: Encouragement of Local and Foreign Investment

1. The Kingdom strives to create an attractive, competitive investment environment supportive of private sector growth through relevant laws, regulations, and policies that provide a favorable regulatory environment to attract foreign digital investments, prevent monopolistic practices, enhance the core competitive capabilities of the local economy, and preserve national sovereignty over data.

2. The Kingdom seeks to empower promising local digital companies - working on developing national solutions and services based on modern and future technologies - and enhance their leadership on the regional and global levels, in addition to stimulating innovation and growth to develop the digital economy and diversify income sources in a way that ensures the preservation of national sovereignty over data.

